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Paper No. 8

C/O BRISTOL MYERS SQUIBB COMPANY
100 HEADQUARTERS PARK DRIVE
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In re Application of :
Gent, et al. :
Application No. 09/348,954 : PETITION
Filed: July 7, 1999 :
Attorney Docket No. C-309 :
For: IMPROVEMENTS RELATING TO :
POUCHES FOR COLLECTING MATTER :
EXCRETED BY THE BODY :
:

MAY 21 2002

OFFICE OF PETITIONS

This is a decision on the petition renewed under 37 CFR 1.137(b), filed April 11, 2002, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned July 3, 2001 for failure to timely file a proper response to the non-final Office action mailed April 2, 2001. The non-final Office action set a three (3) month non-statutory period for reply. No extensions of time in accordance with 37 CFR 1.136(a) were obtained. Notice of Abandonment was mailed November 9, 2001.

There is no indication that petitioner herein was ever empowered to prosecute the instant application. If petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation and change of correspondence address must be submitted. A courtesy copy of this decision will be mailed to petitioner, however, all future correspondence will be directed to the address of record unless the Office is notified otherwise in writing.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. The statement, nevertheless, is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See, 37 CFR 10.18(b). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

This application is being forwarded to Technology Center 3700 for review of the amendment submitted herewith.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-0310.



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Office of the Deputy Commissioner
for Patent Examination Policy

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